



TRANSPORTATION & INFRASTRUCTURE COMMITTEE

January 26, 2009

The Transportation and Infrastructure Committee of the City of Mesa met in the lower level meeting room of the Council Chambers, 57 East 1st Street, on January 26, 2009 at 3:33 p.m.

COMMITTEE PRESENT

Alex Finter, Chairman
Kyle Jones
Dave Richins

COMMITTEE ABSENT

None

STAFF PRESENT

Donna Bronski
Jack Friedline

1. Items from citizens present.

Rick Martin, 1623 North Avoca, addressed the Committee with regard to vehicles that travel at excessive speeds in his neighborhood. He stated the opinion that speeding is a significant problem in Mesa and throughout the Valley.

Chairman Finter thanked Mr. Martin for his comments and suggested that he discuss his concerns with Transportation Director Dan Cleavenger.

William Porter, 466 South Rochester Street, commented on the need to reduce the speed of traffic in his Sunland Village neighborhood, and he complimented City staff for their efforts and cooperation in addressing his concerns. He expressed an interest in the proposal for speed cushions that is presently under consideration.

2. Hear a presentation, discuss and make recommendations on the Speed Hump Policy.

Transportation Director Dan Cleavenger introduced Senior Transportation Engineer Derrick Bailey, who was present to assist with the presentation. He displayed a PowerPoint presentation (a copy is available for review in the City Clerk's Office) and advised that staff is proposing a change to the existing Speed Hump Policy by adding the option to install speed cushions on streets designated as fire routes. He noted that when the existing policy was established eleven years ago, the Public Works Manager (now the Deputy City Manager) was given the authority to make changes to the Policy. Mr. Cleavenger advised that staff is seeking input and recommendations from the Transportation and Infrastructure Committee (TIC) regarding the proposed change to the policy which addresses collector streets. He noted that although police enforcement is effective, manpower resources are limited. Mr. Cleavenger reported that many new subdivisions are constructed with "traffic calming" incorporated as part of the design, but he added that "traffic calming" methods are difficult to retrofit in existing areas.

Mr. Cleavenger explained that the speed cushion allows space for the wheels of the fire truck to pass through unobstructed without having to navigate over the hump. He noted that rubber speed cushions were installed for testing on Pepper Place and in a couple of residential

neighborhoods, including the Hermosa Vista neighborhood. He reported that although the rubber speed cushions reduced average speeds in the Hermosa Vista neighborhood, the cushions were removed because of complaints that the cushions were too abrupt. Mr. Cleavenger advised that in an effort to reach a compromise, staff developed asphalt speed cushions with a more gradual profile and space for the fire truck wheels to pass through. He said that these speed cushions were installed for testing purposes in the Hermosa Vista neighborhood, which resulted in good feedback from the neighbors and proved to be successful in reducing the average speed of vehicles. Mr. Cleavenger advised that the rubber speed cushions cost \$6,200 per set compared to \$3,900 per set for the asphalt speed cushions.

Mr. Cleavenger advised that the staff recommendation is as follows:

- Change the Speed Hump Policy to include speed cushions on fire routes.
- Require a neighborhood meeting so that property owners not directly affected have the opportunity to comment.
- Present the results of a neighborhood meeting and survey to the Transportation Advisory Board for final approval.

Mr. Cleavenger stated that the recent annual speed hump budget has been \$150,000 of which approximately \$21,000 has been spent. He said that the introduction of speed cushions would increase the number of applications, and he advised that areas requesting cushions would be ranked according to traffic speed and volume.

In response to a question from Committeemember Richins, Mr. Cleavenger reported that a neighborhood interested in having speed cushions installed would pay \$105 for a speed survey, which would be conducted by a contractor retained by the City. He said that the priority ranking of applications is based on the highest speed with the volume of traffic serving as the tie breaker and, if qualified, the neighborhood is placed on a list and the applicant is responsible for obtaining approval signatures from 70 percent of the neighborhood residents.

Committeemember Richins noted that in addition to speed humps and speed cushions, other traffic calming tools are available.

Responding to a question from Committeemember Jones, Assistant Fire Chief Dan Stubbs came forward to address the Committee and advised that speed cushions were a good compromise between speed humps and nothing at all. He stated that the majority of the department's vehicles can successfully pass through the cushions.

Mr. Cleavenger responded to a series of questions from Chairman Finter by noting that public meetings provide the opportunity for additional community involvement. He said that following the meeting and upon receipt of the petitions indicating 70 percent of the residents are in support, the request is added to the list and ranked. He said that staff reviews the list in March of each year and that the number of installations depends on the funding available in the budget.

In response to a question from Chairman Finter, Mr. Cleavenger noted that neighborhoods could utilize their own funds to have speed humps constructed. He added that following several years in which no funds were budgeted for speed humps, the previous Council decided that this was a quality of life issue that should receive funding.

Mr. Bailey reported that the cost to address local and collector streets that are designated as fire routes and meet the requirements for speed cushions is estimated to be \$1.5 million.

Mr. Cleavenger advised that specific cost data could be provided during the budget process.

Responding to a question from Committeemember Richins, Mr. Cleavenger advised that the Deputy City Manager (formerly the Public Works Manager) is authorized to implement policy changes. He added that staff is willing to make a presentation to the Council, if that is the desire of the Committee.

Deputy City Manager Jack Friedline suggested that if the Committee supports the proposal, an opportunity to present the speed cushion program to the Council during a televised meeting would be beneficial in creating public awareness of the program.

Mr. Richins noted that newspaper reporters present in the audience could be instrumental in making the public aware of the program.

It was moved by Committeemember Richins, seconded by Committeemember Jones, that staff's recommendation for changes to the Speed Hump Policy be approved.

Carried unanimously.

In response to comments by Committeemember Richins, Deputy City Attorney Donna Bronski explained that all Council Committee recommendations for approval move forward to the full Council for consideration. She added that an item not approved by the Committee would not be considered by the Council.

Chairman Finter stated that the changes to the Speed Hump Policy would move forward for Council consideration with a Committee recommendation for approval, and he thanked staff for the presentation.

3. Discuss and make a recommendation to Council regarding the request from Bruno Degiorgi for wastewater service outside the City limits at 10050 East University Drive.

Development and Sustainability Department Director Christine Zielonka introduced Development Planning Analyst Beth Hughes-Ornelas and Fire Marshall Rich Kochanski.

Ms. Zielonka advised that all applicants requesting annexation or City utility services are required to conform to City development standards. She added that any request for a variance from the City's development standards is referred to the Transportation and Infrastructure Committee (TIC) for consideration. She outlined the following development standards that are applicable to the subject case, which is for the Signal Butte Congregation of Jehovah's Witness:

1. Conformance to Mesa's General Plan designation.
2. Site development constructed to City of Mesa standards including grading/drainage and solid waste facilities.
3. Payment of all fees associated with wastewater services, including wastewater impact fees.

4. Design, permitting and construction of East University Drive frontage improvements (sidewalk, street lighting, and handicap ramp); existing asphalt and curb to remain in place.
5. Design, permitting and construction of North 100th Place frontage.
6. Extend 8" sewer main from existing stub on University, north on 100th Place to north property line.
7. Install fire hydrants and fire sprinklers to meet Fire Department requirements.

Ms. Zielonka advised that in response to the applicant's inquiry in 2006, staff advised that City services were available, but no further discussion regarding the specific development standards and the process occurred until November of 2008. She outlined the three options (see Attachment 1) identified by staff.

Ms. Zielonka stated that Option 1, which would require annexation, is not recommended because of fire safety issues; i.e., a lack of fire sprinklers and hydrants. She said that Option 2 requires payment of all fees and conformance to the City's development standards. Ms. Zielonka added that Option 3, which is staff's recommendation, allows the Committee and the Council to consider reasonable variances from the standard development requirements.

Chairman Finter invited the applicant, Bruno Degiorgi, to address the Committee.

Mr. Degiorgi said that Option 3 requires development to City of Mesa standards at a cost of approximately \$100,000, which their organization does not have. He added that the Fire Marshall indicated that the building should be redesigned to include a sprinkler system. Mr. Degiorgi disagreed with the position of staff that the project would eventually become a City problem if the property is not developed to City standards. He stated that the Church, as well as the neighboring properties, has no interest in being annexed by the City. Mr. Degiorgi advised that the project has been designed to County standards and construction is scheduled to begin in three weeks. He noted that he was provided with different information regarding the sewer system each time he contacted the City.

In response to a question from Committeemember Richins, Mr. Degiorgi confirmed that the County along with the Arizona Department of Environmental Quality (ADEQ) regulates the installation of a septic system. He said that two criteria govern the use of a septic system: 1.) if the cost to connect into the sewer system is prohibitive, and 2.) if the City with a sewer system in the area provides a letter stating that the applicant is not required to connect to that system.

Ms. Zielonka explained that the City would have to determine that it is not reasonable or appropriate for the Church to connect to the City's sewer system, and she added that the County would require a letter from the City stating that fact. She noted that staff's preference would be to encourage a connection to the City's sewer system to avoid the installation of an additional septic system.

Mr. Degiorgi advised that the Church's source of water is the Arizona Water Company. He noted that the Church's cost to install the septic system would be approximately \$4,000. Mr. Degiorgi stated that the Church cannot afford the costs to connect to the City's sewer system or the costs of the requested improvements. He added that the Church would prefer to connect to the City's sewer system if the costs could be adjusted.

Deputy City Manager Jack Friedline provided the Committee with copies of a worksheet (see Attachment 2) that he prepared regarding the available options for this case. He reported that the top half of the worksheet lists the improvements that would be required to meet City standards at a cost of \$200,800. Mr. Friedline explained that the primary reason that the City would refuse to annex the property is the lack of fire hydrants and sprinklers. He noted that the savings realized because of improvements already installed total \$57,900, leaving a balance of \$142,900. Mr. Friedline said that this amount does not include the one-time fees of \$12,501.60, which are impact fees that cannot be waived by the Council. He referred to the bottom section of the worksheet (see Attachment 2) titled "Modifications to Development Standards," and he recommended that the Committee consider "item I" at a cost of \$129,000 with the requirement for an in-lieu payment. Mr. Friedline noted that "item II" has a cost of \$92,000 and is less desirable because the burden of installing the sewer line on North 100th Place would be placed on future development.

Mr. Degiorgi stated that the Church cannot afford the connection costs.

Mr. Friedline said that based on his understanding of the regulations, it was his opinion that the County was not likely to exempt a non-residential project from the connection requirement based on cost and distance.

Committeemember Richins said that his preference would be for the Church to connect to the City's sewer system, and he expressed the opinion that the County should improve their development standards.

Chairman Finter noted that the next case on the agenda has very similar circumstances, and he added that many other similar cases have been filed with the City. He said that the Committee is attempting to be fair to all applicants.

Committeemember Jones said that the City does not want a septic system installed at this location, and his preference is that the Church be able to connect to the City's sewer system.

Mr. Degiorgi noted that the Church across the street from this project is on a septic system as are most properties in the area. He stated the opinion that the location is an ideal piece of property on a good road within the County. He said that the sewer line is present because the City extended the line to provide a connection with a residential development further to the southeast. Mr. Degiorgi added that the drainage installed to County standards would prohibit the construction of a sidewalk. He said that if the Church is required to connect to the sewer system, the entire project would have to be abandoned. Mr. Degiorgi commented that the requirements seem to indicate that the City is attempting to prevent this project from moving forward. He stated the opinion that a properly designed septic tank helps the environment, and he added that in November of 2008, the City was unable to provide any cost estimates for the project.

Chairman Finter addressed Mr. Degiorgi's comments by stating that no one on staff or on the Council is attempting to prevent the construction of the Church. He explained that a Committee recommendation would move forward for consideration by the full Council, at which time Mr. Degiorgi could present his case to the Council. Chairman Finter noted that safety concerns exist regarding the lack of a sidewalk for pedestrian access.

Mr. Degiorgi said that pedestrians would not be required to walk on University Drive. He advised that the design of the sidewalks could have been addressed early on in the process and that the design was based on a County determination regarding the drainage issues. He stated that the information provided by ADEQ said that if the City does not require a sewer connection, the Church would be able to install a septic tank.

Mr. Friedline advised that his long-term assumption is that many of the areas now in the County will request annexation into the City at some point in the future.

Committeemember Richins emphasized that the Committee and the Council do not discriminate in their decision making processes.

Responding to a series of questions from Committeemember Richins, Mr. Friedline explained that the amount of \$92,000 was determined by providing for an in lieu payment rather than requiring that the applicant make the 100th Place improvements.

Discussion ensued relative to the fact that improving the roadway along the frontage is a standard City requirement; that both University Drive and 100th Place are considered as frontage property; and that the asphalt currently on 100th Place is not likely to meet City standards.

Mr. Friedline continued his explanation of the \$92,000 cost estimate by advising that the figure reflects a decrease of \$50,900 for the cost to extend an eight inch sewer main and install a manhole along 100th Place.

In response to a question from Mr. Degiorgi, Mr. Friedline advised that the goal of the County is to eliminate septic tanks when a property has the capability of connecting to a sewer system, which is the reason that the County is requesting City approval for a septic permit for property that is not located in the City.

Responding to comments by Committeemember Jones, Ms. Zielonka stated that the crux of the issue is that when this type of property applies for annexation in the future, the City would have difficulty enforcing a requirement for improvements at that point in time.

Further discussion ensued relative to the fact when properties with septic systems are annexed into the City, the property is not required to connect to the sewer system; that the property owner will request a connection when the septic system fails; and that the annexation equity fee would be imposed at the time the property came into the City.

Ms. Zielonka advised that a recommendation by TIC would move forward for Council consideration.

Mr. Friedline responded to a question from Committeemember Richins by advising that no City-share agreement is in place regarding the construction of the sewer main and that the developer probably incurred those costs. He stated that the City would establish a precedent by approving the installation of a septic tank on property that has a sewer connection available.

In response to a question from Committeemember Richins regarding the impact of a decision to allow a connection without charging the applicant for the fees, Mr. Friedline explained that the

\$142,000 in infrastructure improvements would be a City expense in the future. He added that the action would establish a precedent for hundreds of other cases.

Mr. Degiorgi apologized for his earlier comments. He said that it was his understanding that the City would not annex property unless the property owner agreed to that action. Mr. Degiorgi said the Church would agree to pay the one-time fees of \$12,509 and then consider the following alternatives: install a septic system with a letter of approval from the City or connect to the sewer system if the development fees could be waived.

Responding to a question from Committeemember Richins, Ms. Bronski advised that a long-term bond would be difficult for the applicant to obtain.

Ms. Zielonka noted that a cash bond would be required, which would cost the applicant the same amount of money as the improvements.

Ms. Bronski suggested that the Committee could defer action on this case until they have heard the next case.

Chairman Finter noted that although the two cases have great similarities, he suggested that the Committee address this case before considering the next agenda item.

It was moved by Chairman Finter, seconded by Committeemember Richins, to recommend to the Council that staff's option to allow connection of the project at 10050 East University Drive to the City's sewer system at a cost to the applicant of \$92,000 without requiring an extension of the sewer main on North 100th Place, be approved.

Committeemember Richins stated the opinion that the County was unlikely to issue a septic permit because a sewer line stub is located on the property.

Mr. Degiorgi expressed the opinion that the County would issue the permit based on the high costs to connect to the sewer system.

Additional discussion ensued relative to the fact that the Church parking lot is paved and has curb, gutter and sidewalk; and that no improvements have been made to 100th Place.

Mr. Friedline reiterated that without considering the consequences of establishing a precedent, the applicant could be connected to the sewer system for \$12,509.

Chairman Finter suggested that the applicant would have time for further discussions with staff before the Committee recommendation is presented to the Council. He added that the primary concern was the possibility of establishing a precedent for hundreds of other cases.

Chairman Finter called for the vote.

Upon tabulation of votes, it showed:

AYES – Finter-Richins

NAYS – Jones

Chairman Finter declared the motion carried by a majority vote.

4. Discuss and make a recommendation to Council regarding the request from Tim Jones for water service outside the City limits at 6718 East Avalon Street.

Development and Sustainability Department Director Christine Zielonka said this case is for an Elks Lodge that currently has City water and the Lodge is planning a renovation and a rebuild to create a larger facility, which requires a larger water meter. She added that the sewer is also an issue for this property. She invited the applicant, Tim Jones of the Elks Lodge, and his attorney to come forward.

Jeff Blilie, 4800 North Scottsdale Road, representing the applicant, stated the opinion that this case was quite different from the case previously considered by the Committee. He explained that the Elks Lodge is an existing facility that has a septic system and is currently receiving City of Mesa water through one inch and three-quarter inch meters, which serve the two buildings on the property. He said that the Lodge is proposing to raze the existing buildings, construct one larger building, make site improvements, pave the parking lot and improve the landscaping. Mr. Blilie advised that the Lodge has all site plan approvals from the County, and they are now planning to secure the building permit. He added that sprinklers are being incorporated into the construction of the building and a fire hydrant will be installed. Mr. Blilie said the applicant has a limited budget and they are seeking permission to extend the water line to the site and to consolidate the meters into a one and one-half inch meter. He added that the applicant is prepared to pay for the extension of the water line and the improvements related to installation of the water line, without paying for half street improvements or extending the sewer line to the property.

In response to a question from Committeemember Jones, Mr. Blilie said he was unaware of whether an agreement was in place for the provision of water. He said that the change in the water line would provide the necessary water pressure required for the sprinkler system.

Ms. Zielonka advised that the change in service triggers the requirement for additional improvements (see Attachment 3).

Responding to comments by Committeemember Richins in support of approving the request, Ms. Zielonka advised that a motion to recommend approval to the Council would have to include a waiver of all of the standard improvement requirements.

Deputy City Manager Jack Friedline distributed copies of a worksheet (see Attachment 4) regarding the costs applicable to this case. He said that excluding the requirement for the water and sewer line extensions across the frontages, the net cost would be \$86,920 in addition to the \$26,498 for the Utility Service Agreement and impact fees. Mr. Friedline noted that because the applicant is installing sprinkler systems, staff would recommend approval of an annexation request.

Discussion ensued relative to the location of the water mains and the fact that annexation would require the installation of sewer lines.

Mr. Friedline stated that the amount of \$86,920 would be consistent with the recommendation made for the previous case.

In response to a question from Mr. Blilie, Mr. Friedline advised that the figure of \$86,920 was arrived at by deducting the amounts listed in the "Modifications to Development Standards" at the bottom of the worksheet from \$142,900 (\$142,800 less \$39,780 and \$16,200 equals \$86,920).

Mr. Blilie stated the opinion that the sidewalk improvements would serve no purpose in the County and could require reconstruction by the time annexation occurred in the future. He noted that streetlights would create inconsistent pockets of light in an area without streetlights. Mr. Blilie added that the proposed costs could prohibit the project from moving forward.

Chairman Finter stated that the Committee should be consistent with the recommendation made regarding the previous case.

It was moved by Committeemember Richins, seconded by Committeemember Jones, to recommend to the Council that staff's option to allow connection of the development at 6718 East Avalon Street to water and sewer at a cost of \$86,920, in addition to the \$26,498 (for the Utility Service Agreement, Impact Fees and service fees), without an extension of the water mains across Avalon and Sunair frontages and without an extension of the sewer main across the Sunair frontage, be approved.

Carried unanimously.

5. Adjournment.

Without objection, the Transportation and Infrastructure Committee meeting adjourned at 5:18 p.m.

I hereby certify that the foregoing minutes are a true and correct copy of the minutes of the Transportation and Infrastructure Committee meeting of the City of Mesa, Arizona, held on the 26th day of January 2009. I further certify that the meeting was duly called and held and that a quorum was present.

LINDA CROCKER, CITY CLERK

baa

Attachments (4)